

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

LONNIE EVANS,)
Register No. 513598,)
Plaintiff,)
v.) No. 05-4073-CV-C-SOW
J. CLANTON, et al.,)
Defendants.)

ORDER

On September 28, 2005, the United States Magistrate Judge recommended that defendant McKenzie's motion to dismiss be denied. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). No exceptions have been filed.

A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that defendant McKenzie's motion to dismiss is denied [16].

/s/Scott O. Wright
SCOTT O. WRIGHT
Senior United States District Judge

Dated: 11-14-05